



**AGENDA
BLUFFDALE CITY PLANNING COMMISSION
MEETING**

February 18, 2015

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, February 18, 2015**, at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah. Notice is further given that access to this meeting by Planning Commissioners may be by electronic means by telephonic conference call. The Agenda will be as follows. Please note that all times listed on the Agenda are provided as a courtesy and are approximate and subject to change.

PLANNING COMMISSION BUSINESS MEETING - 7:00 P.M.

1. Invocation and Pledge.*
2. Public comment (for non-public hearing items).
3. Approval of minutes from February 4, 2014 meeting of the Planning Commission.
4. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on proposed amendments to portions of 11-9 and 11-10 of the Bluffdale City Code in order to clarify setback requirements in various commercial and industrial zones. City of Bluffdale, applicant.
5. **CONSIDERATION/RECOMMENDATION/VOTE** on proposed amendments to the Project Plan and proposed Major Changes to the Independence at Bluffdale Master Planned Community, 4 Independence, LLC, applicant.
6. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on a Preliminary and Final Subdivision Plat Application for Plat I-3 for 28 Residential Lots and associated streets at approximately 15000 South Allegiance Drive within the Independence Master Planned Community, 4 Independence, LLC, applicant.
7. City Council Report.
8. Planning Commission business (planning session for upcoming items, follow up, etc.).
9. Adjournment.

Dated: February 13, 2015

Grant Crowell, AICP
City Planner/Economic Development Director

In compliance with the American Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City at least 24 hours in advance of this meeting at (801)254-2200. TTY 7-1-1.

*Contact Gai Herbert if you desire to give the Invocation.

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Present:

Members: **Connie Pavlakis, Vice Chair**
 Von Brockbank
 Kory Luker
 James Wingate

Others: **Mayor Derk Timothy**
 Grant Crowell, City Planner/Economic Development Director
 Alan Peters, Associate Planner
 Jennifer Robison, Associate Planner
 Gai Herbert, Planning Secretary

Excused: **Brad Peterson**
 Johnny Loumis, Jr.

BUSINESS MEETING

In the absence of Chair Brad Peterson, Vice Chair Connie Pavlakis called the meeting to order at 7:00 p.m.

1. Invocation and Pledge.

Heather Cole offered the Invocation. Kory Luker led the Pledge of Allegiance.

2. Public Comment.

There were no public comments.

3. Approval of Minutes from the February 4, 2015, Meeting of the Planning Commission.

Von Brockbank moved to accept the minutes of the February 4, 2015, meeting as stated. Kory Luker seconded the motion. Vote on motion: Kory Luker-Aye, James Wingate-Aye, Von Brockbank-Aye, Connie Pavlakis-Aye. The motion passed unanimously.

4. PUBLIC HEARING, CONSIDERATION, AND VOTE on Proposed Amendments to Portions of 11-9 and 11-10 of the Bluffdale City Code in Order to Clarify Setback Requirements in Various Commercial and Industrial Zones. City of Bluffdale, Applicant.

Associate Planner, Alan Peters, presented the staff report and stated that the proposal is to adjust the setbacks in the Heavy Commercial, Light Industrial, and Heavy Industrial zones. The proposed text amendments accommodate commercial and industrial development on private roads by altering the setback requirements in specific cases. They also bring non-conforming properties into compliance. The proposed text amendments will preserve the existing setback requirements for lots or parcels on public roads. Setback issues were discussed. Mr. Peters explained that the General Commercial

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Zone has flexibility. It requires a front setback of 10 feet, no side setback, and a 20-foot or less rear setback.

Mr. Peters stated that Center Point Business Park was originally platted in 2000. Five years later after a couple of buildings were built, the landowners applied for a plat amendment, which subdivided one parcel into nine individual building lots accessed by a private right-of-way, which is a common area with access and parking for the buildings. It also provides landscaping in the front. When the plat amendment was recorded, a non-conforming situation was created where lesser lot lines were created. There were subsequent plat amendments in 2006 and 2012 that further created non-conformities.

Mr. Peters explained that the application proposes to change commercial development on public roads with the exception that the setback remain the same. With respect to the distance between buildings, the proposed amendments would eliminate the 20-foot requirement for parcels on public and private streets. The major change would pertain to private future right-of-ways. One of the benefits will be to bring non-conforming situations into compliance and allow a way for the rest of the development to be developed in compliance with building codes and accommodate future development. It would also accommodate future development on private roads.

Mr. Peters stated that more flexibility would be given to determining setbacks in areas with less public traffic. Each zone will reference the front required setback area. It was to be changed to specify "any required front setback". The lot coverage requirement will be changed to refer to any parcel or project.

Commissioner Wingate understood that all commercial properties should be treated the same. He referenced the parking area and asked if on-street parking would be allowed if the parking stalls are full. Mr. Peters explained that parking would be allowed on both sides of the street with the standard driving aisle width being 24 feet, which is sufficient in terms of the Fire Code for access. In this situation, the middle of the drive is at least 24 feet, which is sufficient. He explained that what is proposed is no different than what has occurred in the past other than it looks different on paper. It was noted that the text amendments are mostly the same for the three zones.

The one parcel zoned Regional Commercial was identified. Mr. Peters stated that it was not affected and explained that each of the other zones treated the setbacks differently for various reasons. These three zones are the most similar.

Von Brockbank's concern was that if they eliminate the side yard or rear setback they will in essence increase the size of the buildings. He questioned whether the 85% buildable area is too large. For example, if there is a private road and someone owns to the center of it, he questioned if the setback starts at the center of the private road. If so, they are allowing a bigger building than would normally be allowed. Mr. Peters explained that the center line being the center of the road is one route they could have taken with this project that would have addressed any concerns. However, because they separated it as a separate common parcel, which is maintained by the owner of the development, the setbacks become an issue. The 85% with the proposed change results in nearly 100% of the property being covered in impermeable surface. As the ordinance stands it is

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out of compliance and non-conforming. The proposed change would specify that the 85% would apply to the entire development. In this situation, the 50% is mostly concentrated in the front. There is also a detention area in the rear of the property.

It seemed to Von Brockbank that they were allowing far too much in exchange for a small amount of green area up front. He was still concerned and stated that essentially they will build out the entire lot, which did not seem to be the desired result. Mr. Peters stated that that is likely to occur and has already happened. If, however, they went back to the original plan, which was one lot, they would have developed it in exactly the same manner with the landscaping in front. Because of the subdivisions it is now 50% of the project.

City Planner, Economic Development Director, Grant Crowell, stated that this and other similar projects have historically been allowed to count their drainage basins in the rear as a huge component of their landscaping. As a result, there are many situations where the full landscaping around buildings is not noticeable but they have met the requirement on paper. He noted that that is a common occurrence in the industrial park and has been for years.

Mr. Peters stated that what is proposed may be preferable because you get a lot of the landscaping in front of the public right-of-way rather than an individual island with small amounts of landscaping. Commissioner Wingate observed that these types of businesses do not have much traffic coming to their site. The intent was to make the property attractive along the main road but in the back allow wall-to-wall warehouses because they don't have customers coming in.

Von Brockbank observed a problem and stated that a use may have low traffic at first but might later be sold to another business who may require more parking. His concern was that Bluffdale is a rural community and that light commercial should be more residential friendly. He did not see that taking place by putting a small amount of landscaping out front and allowing an applicant to build out the lot. Mr. Crowell stated that it accommodates future development in the area. If they eliminate that change they have to tell the next person to develop on the lots.

Mr. Peters explained that a text change was approved through last year to allow commercial industrial development on private roads. This is a follow up to that. The main purpose was to accommodate and encourage economic development. It brings the properties into compliance with the ordinance and allows the rest to be built out in a similar manner. It will also accommodate future development because it is possible for other industrial parks that wish to subdivide.

In response to a question raised by Connie Pavlakis, Mr. Peters explained that the site plan ordinance will not be affected by the change. Currently buildings that are 15,000 square feet or less can be approved administratively. Buildings larger than 15,000 square feet must be reviewed and approved by the Planning Commission and City Council.

Vice Chair Pavlakis asked about utility easements. Mr. Peters explained that there are currently no public utility easements on the borders of the lots. There are easements that run under the rights-of-way. Vice Chair Pavlakis agreed with Commissioner Brockbank with respect to the 85%.

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Mr. Peters clarified that it could apply to either project or parcel. He noted that it will apply to every type of development in the zones.

Connie Pavlakis asked about landscaping requirements on the frontage of public roads. Mr. Peters explained that because there is a minimum setback, nothing can be done in that area. Wherever there is not a building or parking there must be landscaping. There is a 20-foot setback requirement for parking from a public road, which will not change.

Vice Chair Pavlakis opened the public hearing. There were no further public comments. The public hearing was closed.

Connie Pavlakis' concern was that there are frequently delays in development and property can be sold off or subdivided further and broken apart. She was concerned about the 15% and thought it should be per parcel so that the last to develop doesn't have to meet the requirement alone.

James Wingate asked if there is a way to take care of the parcels that Mr. Peters is concerned about that are already off the plans. Mr. Peters stated that the proper way to deal with these types of issues is through the Board of Adjustment. Mr. Crowell acknowledged that work needs to be done on the site plan landscaping ordinances but that is not being addressed tonight.

Connie Pavlakis asked if Center Point was used as the optimum model. Mr. Crowell did not consider it optimum but considered it an example that is fairly simple. He explained that it accommodates Center Point and will work for future development as well.

Von Brockbank was not concerned about the builder, but the City. He could not understand why they would worry about whether they will attract builders when they are talking about 15%. He suggested they require each individual lot to have a specific amount of landscaping. It was his opinion that light industrial is meant to be residential looking and have an atmosphere that reflects the nature of the City. He suggested each individual lot be required to have some green space to make it look more residential than heavy commercial.

James Wingate asked if there is a way to change the requirement to specify that the 15% is what they consider landscaping and not allow things other than that to count as the 15%. Mr. Crowell stated that a lot of work could be done with the landscaping ordinance. If the concern is landscaping, staff could work further on the landscape ordinance. He stated that staff was not prepared to deal in depth with landscaping tonight. Mr. Crowell preferred to see an integrated master landscape plan for a project.

Kory Luker commented that they should decide what they want the 15% to look like. Vice Chair Pavlakis considered them to be intertwined. Before making a decision, however, she felt they should see what that looks like. Von Brockbank felt that if they do the 85% and the 15% and put that with each individual lot it becomes too burdensome. Adjustments could be made at the time a permit is issued. He did not consider that overly restrictive. He did not want to see the City become one big slab of concrete or buildings. He likes larger lots but realizes that isn't always practical. He saw no reason to appease the builders at the expense of Bluffdale City.

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Mr. Crowell stated that staff also supports trees and landscaping and felt they were on the same page in terms of design. There are, however, various situations they are trying to balance. He explained that industrial parcels are typically more difficult to deal with. New industrial parks tend to want to be Class A or Class B and sell the way the project looks. Landscaping issues were discussed.

Connie Pavlakis was concerned about what had been seen in recent years where a project starts out large and is then sold off into smaller pieces, which are more difficult to manage.

Connie Pavlakis moved to send the matter back to Grant, Alan, and Jennifer to provide more specifics in terms of what will be required landscaping wise in accordance with what was discussed and adjust the sequencing, phasing, and disbursement.

With respect to disbursement, Alan Peters stated that even with the 15% requirement there is no assurance as to where it will be located on the site. James Wingate suggested they first prioritize perimeters. Von Brockbank was triggered by the 15% and did not like the idea of allowing development on private roads, which will be narrower. The result will be to increase the size of the buildings.

Von Brockbank seconded the motion. Vote on motion: Kory Luker-Aye, James Wingate-Aye, Von Brockbank-Aye, Connie Pavlakis-Aye. The motion passed unanimously.

5. CONSIDERATION/RECOMMENDATION/VOTE on Proposed Amendments to the Project Plan and Proposed Major Changes to the Independence at Bluffdale Master Planned Community, 4 Independence, LLC, Applicant.

Associate Planner, Jennifer Robison, presented the staff report and stated that the application does not require a public hearing. A development agreement was approved in November 2012. There is also a project plan that provides exhibits to the development agreement. Tonight the Commission is considering amendments to two of those exhibits. It was always anticipated that amendments would be made to some of the exhibits as the project progressed. There was a change in June 2013 where property was added to the project. This changed the number of units. A site map was displayed. The property in question was identified as future residential and it was known that at some point the developer would want to add more specificity and land use types and units. For that reason the request was before the Commission.

Mrs. Robison displayed the current exhibit to the development agreement along with the proposed amendment. The land use plan included more detail and specificity. The proposed amended land use master plan was displayed. Staff recommended the Commission forward a recommendation of approval to the City Council. The proposed changes were described. The area they were prepared to move forward on was more detailed and specific. The various proposed changes were described. Churches were added as a land use and a trail connection was proposed.

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Mrs. Robison identified an area that was originally planned for apartment units. At one time 496 apartment units were planned. At this point a church is currently being built at that location. The developer suggested that it may be an extremely large apartment project and should perhaps be split to allow for a more attractive development pattern. The proposed map showed Plat Q as containing 243 apartment units. Q-2 would include townhomes. The rest of the apartment units were to be shifted to another location. The change will make them more evenly numbered and spread throughout the project. Staff considered it a better development pattern for the area.

Mrs. Robison reported that there are 168 units proposed in the Beacon Hills Development. She indicated that the original land use plan included a .20-acre pocket park. Additional work needed to be done with the developer in terms of size, location, parks, and reimbursement issues. The park, however, was on the overall plan and will change the exhibit.

Connie Pavlakis asked if any parks are planned in Plat Q. Mr. Crowell stated that staff did not yet have a site plan but parks are typically included with any apartment project. Mrs. Robison stated that in some of the other pod areas there may be other smaller parks and open spaces. In response to a question raised by James Wingate, Mrs. Robison clarified that the existing park identified on the site map will not go away. It serves as the main park currently and another is planned. As the property was developed it was necessary to have one lot removed from a portion of the project for drainage purposes. The developer showed the area in green on the site map that will be maintained and owned by the homeowners' association for drainage. She clarified that it does not count toward their overall park totals.

Mrs. Robison reported that four points have been changed on the plan. Changes to the circulation plan were identified. A connection on the southernmost portion of the property was identified as a future collector that will be added for a connection to the property below. Traffic studies were conducted along with discussions with the developer and the City Engineer. She explained that the future commercial area will have a future collector that will connect to the Day Property. There will be another development to the north that will continue on in some fashion. In conjunction with work being done on Pony Express and the 14600 South interchange, modifications were made and it may be necessary in the future to make a connection from Pony Express to Porter Rockwell Boulevard and provide access to the commercial development there. A small connection was identified as a connector to where Bluffdale Heights exists today.

Commissioner Wingate asked about the connector from Freedom Point Way to Pony Express and if it was intended to be both south and northbound. Mr. Crowell explained that the map does not show it properly but explained that it still goes back to the gravel pit. There will still need to be a local connection. Ultimately it was also not known if the end of Pony Express will have freedom of movement into the interchange. Commissioner Wingate liked the concept. Mr. Crowell thought it was off the property and the reason it was not shown on the map.

Von Brockbank asked if it was sent forward with a positive recommendation if they would be addressing the acreage and the number of units or approving a specific density. Mrs. Robison stated that a specified number of units was being approved in the pod areas. There are 771 overall units with this portion and 1,968 for the entire 304-acre project. Von Brockbank asked what the expected

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built out would be if they have a 15-acre parcel and put a church on five acres. Mrs. Robison stated that they would have to shift the units around but the overall allowable density would be 7.5 units per acre. She clarified that the developer is vested for a specific number of units.

Mr. Crowell explained that the units from the original high school were not allowed to be transferred to a third party and it was being treated as one project. Since July 2011 they have been working with DAI on the revisions to the plan.

James Wingate asked if they were being asked to approve the pod boundaries as well. Mr. Crowell responded that they are a general indication of how they want to break up the phasing but they don't want to lock in a particular neighborhood design because some things change with different builders and products. It was noted that Plat K is new. Open space issues were discussed.

Kory Luker moved to forward a positive recommendation to the City Council on the proposed Independence at the Point Major Change Application for the Comprehensive Land Use Master Plan and Vehicular Circulation Master Plan exhibits in the Project Plan Application 2015-06, subject to any conditions that have already been set dated February 13, 2015. James Wingate seconded the motion. Vote on motion: Kory Luker-Aye, James Wingate-Aye, Von Brockbank-Nay, Connie Pavlakis-Aye. The motion passed 3-to-1.

6. PUBLIC HEARING, CONSIDERATION, AND VOTE on a Preliminary and Final Subdivision Plat Application for Plat I-3 for 28 Residential Lots and Associated Streets at Approximately 15000 South Allegiance Drive within the Independence Master Planned Community, 4 Independence, LLC, Applicant.

Mrs. Robison presented the staff report and identified the subject property on a map displayed. There were a total of 28 single-family lots with platting associated with the previously constructed trail connection. Since part of the development has occurred, decisions were made to proceed with some of the areas. They are now ready to dedicate that area to the City who will own and maintain it once it is fully accepted. Mrs. Robison reported that the plat was submitted early last year but as changes have been made that needed to be completed before the application could be presented to the Commission.

Vice Chair Pavlakis opened the public hearing.

Connie Pavlakis asked who will install the sprinkling systems once the homes are built. DAI Representative, Nate Shipp, stated that it depends on the builder since each installs their own landscaping. Additionally, each homeowner has the opportunity to finish their backyards. Vice Chair Pavlakis asked Mr. Shipp if they have agreements with the builders to follow the plans in terms of drainage and where the pipes run. Mr. Shipp stated that they do. He explained that there are notes on the plat that tie to the grading plans.

Heather Cole gave her address as 15206 South Heritage Crest Way and asked when construction will begin. She expressed concern with traffic and parking, especially with the apartments going in. She liked the proposed changes and thought they will help somewhat. She stated that people park

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up and down the street and it essentially becomes a one-way road. Ms. Cole thought the traffic on the road should be more thought out and planned for in terms of the future of the overall development.

Mr. Shipp stated that the timing of the project is to begin the street construction in March and build the homes from April to June. With respect to the traffic along Heritage Crest, they are in the middle of a large project which means they will phase in as they go. Access issues were discussed. Over the long-term a traffic plan is in place to alleviate some congestion. The impact Noell Nelson Drive will have on traffic was discussed. At full build out, this portion of Heritage Crest will serve the current residents. They tried to address parking by moving some of the density to the south. They were currently working on site plans and will need input from staff and the Commission in terms of parking ratios and where the parking will be located.

A question was raised about whether the main access to the apartments will be directly from Porter Rockwell rather than Heritage Crest. Mr. Shipp explained that they have limited access onto Porter Rockwell. Ultimately the intent is for it to become a UDOT road and they have very specific spacing requirements. There will be traffic coming down Heritage Crest and into the apartments with the intent being to draw people into the project and not incentivize residents to park on Heritage Crest Way. They want to make it more convenient for them to use the parking stalls. Grade issues were discussed.

With regard to the claim by Mr. Shipp that there will be limited access onto Porter Rockwell Boulevard, Von Brockbank saw no anticipation for a deceleration lane. Mr. Shipp explained that the Master Development Agreement shows the cross section for Porter Rockwell Boulevard up front and includes segments they are responsible to participate in and ensure are built. As the road continues to the south and connects that expansion will occur with the additional traffic. He thought it may be helpful to get copies of what the cross section looks like. The plan includes a trail, deceleration lanes, acceleration lanes, multiple lanes of traffics, and medians in the large right-of-way. Recently they learned that seven lanes were proposed after which they reduced it to five lanes.

There were no further public comments. The public hearing was closed.

James Wingate moved to forward a positive recommendation to the City Council on the Independence at the Point preliminary and final plat I-3 Application 2015-01, subject to the following:

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.**
- 2. That all plats comply with the Bluffdale City Engineering standards and specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to plat recording.**

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- 3. That the Grading Plan Sheet in the construction plans set is revised to include a drainage pipe from the rear of Lots 247 to 254 to Daylight Drive as required by the City Engineer.**
- 4. That the PUE note on the plat include "Drainage Easement" for Lots 55 to 61 as required by the City Engineer.**
- 5. That the project adheres to all requirements of the International Fire Code.**
- 6. That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.**
- 7. That all street trees shall be installed in the park strips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan and all park strip landscaping irrigation and maintenance is the responsibility of the adjacent home owner.**

Kory Luker seconded the motion. Vote on motion: Kory Luker-Aye, James Wingate-Aye, Von Brockbank-Aye, Connie Pavlakis-Aye. The motion passed unanimously.

7. City Council Report.

Mr. Crowell reported that the private right-of-way ordinance was approved. Mr. Crowell explained that the minimum standard of an existing road to access the development is just 20 feet to meet Fire Code. Upon entering the development the ordinance requirements must be met.

With regard to parks, Mr. Crowell stated that at the Council level there was an open house held recently where valuable input was received. The community survey was expected to be distributed within the next few weeks, which will be used to begin development of the master plan.

With regard to the Waste Management presentation, it was reported that the cost increased by \$.07 per can. Mayor Derk Timothy reported that the pricing structure was changed for garbage collection because they felt the flat fee was costing more because they were using an average weight for the tipping fee per can. They believed that was a great deal more than the actual cost. They made a change and now pay Waste Management a fee and the tipping fee directly. The Mayor stated that the City has saved money doing it that way. He explained that Waste Management's fee goes up or down with the Consumer Price Index.

Von Brockbank asked about the City's agreement with Herriman concerning the water line and asked where it comes through and what road it intersects. Mayor Timothy explained that it is a current right-of-way Bluffdale City has in Herriman. It dates back to 2003 when Bluffdale and the developer agreed to install a water line to service the west side of the City. Herriman wants to locate their secondary water line in the right-of-way. It was delayed for a few weeks while

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additional details were obtained about the pump station. It was noted that there will be no noise produced outside of the building.

In response to a question raised by Connie Pavlakis, Charlotte Barlow was identified as the newest Board of Adjustment Member.

8. Planning Commission Business (Planning Session for Upcoming Items, Follow Up, Etc.).

James Wingate was welcomed as a new Planning Commission Member. Commissioner Wingate stated that he lives in Spring View Farms and has been a resident for the last 2 ½ years. He was raised in Salt Lake City and has four children. He has been employed by Blue Stakes for the past 15 years.

9. Adjournment.

The Planning Commission Meeting adjourned at 8:59 p.m.



Gai Herbert
Community Development Secretary

Approved: April 1, 2015